

House File 362 - Introduced

HOUSE FILE 362

BY HAYES

(COMPANION TO SF 85 BY SALMON)

A BILL FOR

1 An Act relating to public education, including participation in
2 surveys, analyses, activities, or evaluations by students,
3 employees, and contractors of school districts or charter
4 schools and prohibiting the use of certain resources or
5 materials related to social and emotional learning.
6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. **256.9B Prohibition — display**
2 **of collaborative for academic, social, and emotional learning**
3 **materials — guidance related to social and emotional learning.**

4 The department shall not display on the department's
5 internet site or otherwise disseminate any references or
6 materials related to or created by the collaborative for
7 academic, social, and emotional learning, or use such materials
8 as a framework for social and emotional learning.

9 Sec. 2. Section 256E.7, subsection 2, Code 2023, is amended
10 by adding the following new paragraph:

11 NEW PARAGRAPH. *0j.* Be subject to and comply with the
12 requirements of section 279.77 relating to student, employee,
13 and contractor participation in surveys, analyses, activities,
14 or evaluations in the same manner as a school district.

15 Sec. 3. NEW SECTION. **279.77 Protection of student rights.**

16 1. The board of directors of a school district must
17 receive the prior written consent of a student's parent or
18 guardian before requiring a student to take part in any survey,
19 analysis, activity, or evaluation that reveals information
20 concerning any of the following about the student or the
21 student's family, whether the information is personally
22 identifiable or not:

23 *a.* The political affiliations or beliefs of the student or
24 the student's parent or guardian.

25 *b.* Mental or psychological problems of the student or the
26 student's family.

27 *c.* Sexual behavior, orientation, or attitudes.

28 *d.* Illegal, antisocial, self-incriminating, or demeaning
29 behavior.

30 *e.* Critical appraisals of other individuals with whom the
31 student has close familial relationships.

32 *f.* Legally recognized privileged or analogous relationships,
33 such as those of attorneys, physicians, or ministers.

34 *g.* Religious practices, affiliations, or beliefs of the
35 student or the student's parent or guardian.

1 h. Income, except when required by law to determine
2 eligibility for participation in a program or for receiving
3 financial assistance under such a program.

4 2. An employee of a school district, or a contractor engaged
5 by a school district, shall not answer any question pertaining
6 to any particular student enrolled in the school district
7 in any survey related to the social or emotional abilities,
8 competencies, or characteristics of the student, unless the
9 board of directors of the school district satisfies all of the
10 following requirements:

11 a. The board of directors of the school district provides to
12 the parent or guardian of each student enrolled in the school
13 district detailed information related to the survey, including
14 the person who created the survey, the person who sponsors the
15 survey, how information generated by the survey is used, and
16 how information generated by the survey is stored.

17 b. The board of directors of the school district receives
18 the written consent from a student's parent or guardian
19 authorizing the employee or contractor to answer questions in
20 the survey pertaining to the student.

EXPLANATION

22 The inclusion of this explanation does not constitute agreement with
23 the explanation's substance by the members of the general assembly.

24 This bill relates to public education, including
25 participation in surveys, analyses, activities, or evaluations
26 by students, employees, and contractors of school districts or
27 charter schools and prohibiting the use of certain resources or
28 materials related to social and emotional learning.

29 The bill prohibits the department of education from
30 displaying on the department's internet site or otherwise
31 disseminating any references or materials related to or created
32 by the collaborative for academic, social, and emotional
33 learning, or using such materials as a framework for social and
34 emotional learning.

35 The bill requires the board of directors of a school district

1 or the governing board of a charter school to receive the
2 prior written consent of a student's parent or guardian before
3 requiring a student to take part in any survey, analysis,
4 activity, or evaluation that reveals information related
5 to political affiliations of the student or the student's
6 parent or guardian; mental or psychological problems of the
7 student or the student's family; sexual behavior, orientation,
8 or attitudes; illegal, antisocial, self-incriminating, or
9 demeaning behavior; critical appraisals of individuals with
10 whom the student has close familial relationships; legally
11 recognized privileged or analogous relationships; religious
12 practices, affiliations, or beliefs of the student or the
13 student's parent or guardian; or income, except as required by
14 law to determine eligibility for a program. The requirement
15 applies whether or not the information is personally
16 identifiable.

17 The bill prohibits an employee of a school district or
18 charter school, or a contractor engaged by a school district
19 or charter school, from answering any question pertaining to
20 any particular student enrolled in the school district or
21 charter school in any survey related to the social or emotional
22 abilities, competencies, or characteristics of the student,
23 unless the board of directors of the school district or the
24 governing board of the charter school provides to the parent
25 or guardian of each student enrolled in the school district
26 or charter school detailed information related to the survey
27 and receives the written consent from a student's parent or
28 guardian authorizing the employee or contractor to answer
29 questions in the survey pertaining to the student.